

**JEFFERSON COUNTY COMMISSIONERS
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TOM LYTHGOE, CHAIR

CHUCK NOTBOHM

KEN WEBER

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
December 27, 2006**

Present: Commissioners Lythgoe, Notbohm and Weber; Harold Stepper, County Planner; Tom Harrington, JLDC; Ed Handl, Atlatl; Tammy Johnson and Vanessa Lanz, Environomics; Ernie Kenison

MINUTES

Commissioner Weber moved to accept the minutes of October 31. Commissioner Notbohm seconded. The motion carried.

Commissioner Weber moved to accept the minutes from November 28. Commissioner Notbohm seconded. The motion carried.

REPORTS

Commissioner Weber noted that MACo has sent out the information on the midwinter meeting. All three Commissioners will be attending.

Commissioner Weber stated that SMA has submitted a bid for phase 2 of the Fairgrounds improvements. Commission Lythgoe stated that this needs to be put on a future agenda. Commissioner Notbohm stated that the last time this architect was hired the bids were outrageous. He will need to look at the money available.

CALENDAR REVIEW

12/28 View Angel Lane in Fenske Subdivision - 9:00
01/01 Holiday - County Offices closed
01/03 Meet with Greg Jackson - 1:30
Meeting with Weed and Extension staff - Whitehall - 4:00

ITEMS FOR COMMISSIONERS ACTION OR REVIEW

TAMMY JOHNSON AND ED HANDL - PRESENTATION OF PROPOSALS FOR TECHNICAL ENVIRONMENTAL ADVISORY

Ed Handl, Atlatl, Inc., stated that he had previously presented a proposal for providing technical assistance to the Commission. He has worked with the county in the past and feels that his background is a good fit for this task. He has seen firsthand the impact of permitting and regulation on industries and has spent the last 20 years helping people work through the permitting process. He's spoken with Tammy, and feels that they can work together well. He gave quote of 100 hours in his proposal, but that can be changed as needed as it is a very general proposal. Commissioner Lythgoe stated that he felt it appropriate to ask Ed to help on this, as he has seen what he can do in the past. He stated that the Commission needs to commit to this for a period of time. Tammy Johnson then presented her proposal to Commissioners. Ed stated that it is important to develop a proactive rather than reactive stance no matter who works on this.

Commissioner Notbohm stated that they should chip away at this rather than try to go in one fell swoop. The future of Jefferson County depends on this. Commissioner Weber stated that he likes the broadness of both proposals. It allows the Commission the ability to work with it. For today, he would like to see the County proceed with broad proposals. Commissioner Notbohm stated that in regards to roads, he feels that roads are a major component of future mining. If they shut everything down, getting a road reopened takes an act of Congress. Commissioner Lythgoe agreed that they need to get on the road issues.

Commissioner Weber moved to enter into a contract with Atlatl, Inc. and Environomics. They will bill whatever is the acceptable mileage rate to the County. Commissioner Lythgoe seconded. The motion carried.

2ND READING AND POSSIBLE ADOPTION OF RESOLUTION 35-2006 TO GRANT A TEMPORARY MORATORIUM ON ANNEXATION OF TERRITORY WITHIN THE NORTHERN JEFFERSON COUNTY ZONING COMMISSION DISTRICT BY THE CITY OF HELENA

Commissioner Weber read the resolution as follows:

RESOLUTION 35-2006

NORTH JEFFERSON COUNTY ZONING DISTRICTS MORATORIUM ON MUNICIPAL ANNEXATION

WHEREAS, the Legislature enacted Title 76, Part 1, Chapter 1, which provides for citizen initiated planning and zoning commissions with powers as may be appropriate to enable it to fulfill its functions and duties to promote county planning and further the health, safety and welfare of the people of said counties including Jefferson County; and

December 27, 2006 minutes.wpd

WHEREAS, the North Jefferson County Zoning Commission has a current set of zoning regulations in place in north Jefferson County that further protect the health, safety and welfare of north Jefferson County residents; and

WHEREAS, the City of Helena has attempted to create a City Planning Board that would interfere with North Jefferson County Zoning Regulations, the Jefferson County Growth Policy, as well as Jefferson County Planning Regulations; and

WHEREAS, City of Helena zoning coinciding with annexation has the potential to create higher densities in north Jefferson County than what has been planned, zoned, and adopted by the Jefferson County regulatory bodies having jurisdiction in north Jefferson County; and

WHEREAS, the Jefferson County Board of Commissioners is currently working on a sewer district on the north end of the County that would address concerns that the City of Helena has expressed in regards to water quality without requiring annexation in north Jefferson County by the City of Helena; and

WHEREAS, pursuant to § 76-2-107, MCA, the North Jefferson County Zoning Districts requests that the Jefferson County governing body issue a moratorium upon any municipal annexation into the North Jefferson County Zoning Districts for a period of one (1) year for the preservation of the integrity of the current zoning districts, growth policy, and subdivision regulations;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to §76-2-107, MCA, the Jefferson County Commissioners hereby adopt an emergency moratorium upon any municipal annexation into the North Jefferson County Zoning Districts for a period of one (1) year for the preservation of the integrity of the current zoning districts, growth policy and subdivision regulations.

DATED this 27th day of December, 2006.

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

TOMAS E. LYTHGOE, CHAIR

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER

Commissioner Notbohm moved to adopt the resolution. Commissioner Lythgoe seconded. The motion carried.

RESOLUTION 37-2006 SETTING HOLIDAYS FOR 2007

Commissioner Weber read the resolution as follows:

RESOLUTION 37-2006

RESOLUTION TO SET OFFICIAL HOLIDAYS FOR THE YEAR 2007

WHEREAS, Montana State Statute 1-1-216 identifies legal holidays for state and local holidays,

NOW, THEREFORE, BE IT RESOLVED that Jefferson County Board of County Commissioners designates the following dates as holidays in Jefferson County for the year 2007.

<u>Holidays</u>	<u>Observed</u>
New Year's Day	Monday, January 1, 2007
Martin Luther King Day	Monday, January 15, 2007
President's Day	Monday, February 19, 2007
Memorial Day	Monday, May 28, 2007
Independence Day	Wednesday, July 4, 2007
Labor Day	Monday, September 3, 2007
Columbus Day	Monday, October 8, 2007
Veteran's Day	Monday, November 12, 2007
Thanksgiving Day	Thursday, November 22, 2007
Christmas Day	Tuesday, December 25, 2007

BE IT FURTHER RESOLVED that Friday, November 23rd will be given as a day off with pay.

BE IT FURTHER RESOLVED that County offices and facilities will be closed on these days with the exception of essential services.

DATED this 27th day of December, 2006.

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

TOMAS E. LYTHGOE, CHAIR

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER

Commissioner Weber moved to adopt the resolution. Commissioner Notbohm seconded. The motion carried.

RESOLUTION 38-2006 CANCELLATION OF WARRANTS

Commissioner Weber read the resolution as follows:

RESOLUTION 38-2006

ORDERING CANCELLATION OF UNCALLED FOR WARRANTS

WHEREAS, § 7-6-2607, MCA, requires the board to cause to be canceled all county warrants that have remained uncalled for one year or more in the County Clerk and Recorder's office; and

WHEREAS, the Board of County Commissioners has received a list of uncalled for warrants from the Clerk and Recorder;

NOW, THEREFORE, BE IT RESOLVED that the following warrants be cancelled:

Warrant #	To Whom Issued	Date of Issuance	Amount
38360	Robyn Dahl	10/19/2005	\$ 18.00
38688	Staples Credit Plan	11/17/2005	\$230.22
38696	Workplace Pro.Com	11/17/2005	\$251.15
38717	Jefferson Valley Auto	11/22/2005	\$ 7.69

DATED this 27th day of December, 2006.

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

TOMAS E. LYTHGOE, CHAIR

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER

Commissioner Weber moved to adopt the resolution. Commissioner Notbohm seconded. The motion carried.

RESOLUTION 39-2006 DISTRIBUTION OF METAL MINES TRUST FUND MONIES

Commissioner Lythgoe stated that they will not be discussing this at this time, as they do not have the amounts needed to fill in the blanks. This will be put on a future agenda.

MEETING ADJOURNED

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

TOMAS E. LYTHGOE, CHAIR

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER